

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA

Case No. 11-CR-00401-HA

v.

DAVID SHAWN ROSHAK,

ORDER FOR PSYCHIATRIC OR
PSYCHOLOGICAL TREATMENT
OF DEFENDANT

Defendant.

This matter having come before the Court on December 5, 2011, and pursuant to 18 U.S.C. § 4241. Defendant appeared with his attorney, Ellen C. Pitcher, Federal Public Defender's Office. On December 2, 2011, defense counsel filed a Notice Re Competency of Client and Request For Status Conference (CR 10). After hearing from the defendant, the Court on its own motion, found by a preponderance of the evidence that the defendant presently is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceeding against him or to assist properly in his own defense.

IT IS HEREBY ORDERED that the defendant be committed to the custody of the Attorney General for treatment in a suitable facility for such a reasonable time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future defendant will attain the capacity to permit the trial to proceed.

IT IS FURTHER ORDERED that the time between December 5, 2011, and the date upon which a determination of defendant's mental competency to assist in his own defense is made, shall be excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(A).

DATED this 7 day of December, 2011.


ANCER L. HAGGERTY
Senior United States District Judge

Presented by:

S. AMANDA MARSHALL
United States Attorney

/s/ Fredric N. Weinhouse
FREDRIC N. WEINHOUSE, OSB# 77386
Assistant United States Attorney